

1 KEVIN V. RYAN (CASBN 118321)
United States Attorney

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA,)	No.
)	
12 Plaintiff,)	VIOLATIONS: 18 U.S.C. § 371 —
)	Conspiracy to Violate 18 U.S.C. §§ 1167(b),
13 v.)	2314, & 1956(a)(1)(B)(i); 18 U.S.C.
)	§§ 1167(b) & 2 — Theft of over \$1,000
14 PETER DANIEL COLLINS,)	from an Indian Casino; 18 U.S.C. §§ 2314 &
a/k/a John Hollins,)	2 — Interstate Transportation of Stolen
15 EMILY KATHERINE WEITZEL,)	Money; 18 U.S.C. § 1957 — Use of over
a/k/a Julie Andrews, and)	\$10,000 of Stolen Money; 18 U.S.C. §§
16 DANIEL IVAN PORTER,)	1956(a)(1)(B)(i) & 2 — Money Laundering
)	(Two Counts); and Forfeiture (Two Counts)
17 Defendants.)	

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19 INDICTMENT

20 The Grand Jury charges:

21 COUNT ONE: 18 U.S.C. § 371: Conspiracy to Violate Federal Laws

22 Beginning at a time unknown to the Grand Jury, but no later than on or about October 28,
23 2006, and continuing thereafter until on or about December 9, 2006, in the Northern District of
24 California, the defendants,

25 PETER DANIEL COLLINS,
26 EMILY KATHERINE WEITZEL, and
DANIEL IVAN PORTER,

27 did knowingly conspire with each other to commit offenses against the United States, namely:

28 (1) to steal approximately \$198,000 in cash from the Cher-Ae Heights Indian

INDICTMENT

1 Casino, in violation of Title 18, United States Code, Section 1167(b);

2 (2) to transport the proceeds from the theft of the Cher-Ae Heights Indian Casino
3 from the State of California to the State of Washington, in violation of Title 18, United States
4 Code, Section 2314; and

5 (3) to launder the transported proceeds from the theft of the Cher-Ae Heights
6 Indian Casino, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

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8 OVERT ACTS

9 1. On or about November 1, 2006, DANIEL IVAN PORTER (“PORTER”) and EMILY
10 KATHERINE WEITZEL (“WEITZEL”) assisted in providing PETER DANIEL COLLINS
11 (“COLLINS”) access to the Cher-Ae Heights Indian Casino vault from which COLLINS stole
12 approximately \$198,000.

13 2. Between on or about November 1, 2006 and on or about November 7, 2006, COLLINS
14 and WEITZEL transported money stolen from the Cher-Ae Heights Indian Casino from the State
15 of California to the State of Washington.

16 3. On or about November 8, 2006, COLLINS, using the alias “John Hollins,” wired
17 approximately \$950 of money stolen from the Cher-Ae Heights Indian Casino from Arlington,
18 Washington to PORTER in Eureka, California via Western Union.

19 4. On or about November 8, 2006, WEITZEL, using the alias “Julie Andrews,” wired
20 approximately \$950 of money stolen from the Cher-Ae Heights Indian Casino from Arlington,
21 Washington to PORTER in Eureka, California via Western Union.

22 5. On or about December 9, 2006, COLLINS and WEITZEL possessed approximately
23 \$151,000 of money stolen from the Cher-Ae Heights Indian Casino under their bed at a residence
24 in Marysville, Washington.

25 All in violation of Title 18, United States Code, Section 371.

26
27 COUNT TWO: 18 U.S.C. § 1167(b): Theft of over \$1,000 from an Indian Casino

28 On or about November 1, 2006, in the Northern District of California, the defendants,

1 PETER DANIEL COLLINS,
2 EMILY KATHERINE WEITZEL, and
3 DANIEL IVAN PORTER,

4 did knowingly abstract, purloin, willfully misapply, and take and carry away with intent to steal
5 approximately \$198,000 in cash belonging to a gaming establishment operated by and for and
6 licensed by an Indian Tribe pursuant to an ordinance and resolution approved by the National
7 Indian Gaming Commission, namely, the Cher-Ae Heights Indian Casino, and did aid, abet,
8 counsel, command, induce, and procure the commission of such a crime, in violation of Title 18,
9 United States Code, Sections 1167(b) and 2.

10 COUNT THREE: 18 U.S.C. § 2314: Interstate Transportation of Stolen Money

11 Between on or about November 1, 2006 and on or about November 7, 2006, in the
12 Northern District of California, the defendants,

13 PETER DANIEL COLLINS,
14 EMILY KATHERINE WEITZEL, and
15 DANIEL IVAN PORTER,

16 did knowingly, and with unlawful intent, move stolen property, namely, proceeds from the
17 November 1, 2006 theft of the Cher-Ae Heights Indian Casino alleged in Count Two above, from
18 one state to another, namely, from the State of California to the State of Washington, knowing at
19 the time the money was moved that it had been stolen, and did aid, abet, counsel, command,
20 induce, and procure the commission of such a crime, in violation of Title 18, United States Code,
21 Sections 2314 and 2.

22 COUNT FOUR: 18 U.S.C. § 1957(a): Use of over \$10,000 of Stolen Funds

23 On or about November 7, 2006, the defendant,

24 PETER DANIEL COLLINS,

25 did knowingly engage in a monetary transaction, namely, the purchase of a black Ford Mustang
26 automobile, Washington license # 554SVZ, using approximately \$21,297 of property he knew
27 was derived from the commission of a specified unlawful activity he committed in the Northern
28 District of California, namely, the transportation of stolen property from California to

1 Washington as set forth in Count Three above, in violation of Title 18, United States Code,
2 Section 1957(a).

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4 COUNT FIVE: 18 U.S.C. § 1956(a)(1)(B)(i): Money Laundering

5 On or about November 8, 2006, in the Northern District of California, the defendants,

6 EMILY KATHERINE WEITZEL and
7 DANIEL IVAN PORTER,

8 did knowingly conduct a financial transaction, namely, a wire transfer of approximately \$950,
9 knowing that it involved property representing the proceeds of a specified unlawful activity,
10 namely, the transportation of stolen property from California to Washington as set forth in Count
11 Three above, and knowing that the financial transaction was designed, in whole and in part, to
12 conceal and disguise the nature, location, source, ownership, and control of the proceeds of the
13 specified unlawful activity, and did aid, abet, counsel, command, induce, and procure the
14 commission of such a crime, in violation of Title 18, United States Code, Sections
15 1956(a)(1)(B)(i) and 2.

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17 COUNT SIX: 18 U.S.C. § 1956(a)(1)(B)(i): Money Laundering

18 On or about November 8, 2006, in the Northern District of California, the defendants,

19 PETER DANIEL COLLINS and
20 DANIEL IVAN PORTER,

21 did knowingly conduct a financial transaction, namely, a wire transfer of approximately \$950,
22 knowing that it involved property representing the proceeds of a specified unlawful activity,
23 namely, the transportation of stolen property from the State of California to the State of
24 Washington as set forth in Count Three above, and knowing that the financial transaction was
25 designed, in whole and in part, to conceal and disguise the nature, location, source, ownership,
26 and control of the proceeds of the specified unlawful activity, and did aid, abet, counsel,
27 command, induce, and procure the commission of such a crime, in violation of Title 18, United
28 States Code, Sections 1956(a)(1)(B)(i) and 2.

1 FORFEITURE ALLEGATION ONE: 18 U.S.C. § 982(a)(1): Money Laundering Forfeiture

2 Upon a conviction of the offenses alleged in Counts Four through Six above, the
3 defendants,

4 PETER DANIEL COLLINS,
5 EMILY KATHERINE WEITZEL, and
6 DANIEL IVAN PORTER,

7 shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), all
8 right, title, and interest in property, real and personal, involved in said violations or any property
9 traceable to such property, including but not limited to the following:

- 10 a. black Ford Mustang, bearing Washington license # 554SVZ; and
- 11 b. \$1,900 in funds wired to defendant PORTER on November 8, 2006.

12 If, as a result of any act or omission of the defendants, any of said property:

- 13 a. cannot be located upon the exercise of due diligence;
- 14 b. has been transferred or sold to or deposited with, a third person;
- 15 c. has been placed beyond the jurisdiction of the Court;
- 16 d. has been substantially diminished in value; or
- 17 e. has been commingled with other property which cannot be divided without

18 difficulty;

19 any and all interest defendants have in any other property, up to value of the property described
20 above, shall be forfeited to the United States, pursuant to Title 21, United States Code, Section
21 853(p), as incorporated by Title 18, United States Code, Section 982(b) and Rule 32.2 of the
22 Federal Rules of Criminal Procedure.

23 FORFEITURE ALLEGATION TWO: 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c):
24 Forfeiture of Proceeds from a “Specified Unlawful
25 Activity,” Transportation of Stolen Property

26 Upon a conviction of the offense alleged in Count Three above, the defendants,

27 PETER DANIEL COLLINS,
28 EMILY KATHERINE WEITZEL, and
DANIEL IVAN PORTER,

shall forfeit to the United States all property constituting, and derived from, proceeds traceable to

1 said offenses, including but not limited to the following:

- 2 a Approximately \$151,000 seized during the execution of the search warrant at
3 12609 52nd Drive N.E., Marysville, Washington on December 9, 2006; and
4 b. black Ford Mustang, bearing Washington license # 554SVZ.

5 If any of said property, as a result of any act or omission of the defendants:

- 6 a. cannot be located upon the exercise of due diligence;
7 b. has been transferred or sold to or deposited with, a third person;
8 c. has been placed beyond the jurisdiction of the Court;
9 d. has been substantially diminished in value; or
10 e. has been commingled with other property which cannot be subdivided without
11 difficulty; any and all interest defendants have in other property shall be vested in the United
12 States and forfeited to the United States pursuant to Title 21, United States Code, Section 853(p),
13 as incorporated by Title 28, United States Code, Section 2461(c) and Rule 32.2 of the Federal
14 Rules of Criminal Procedure.

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17 DATED:

A TRUE BILL.

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FOREPERSON

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21 KEVIN V. RYAN
United States Attorney

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24 _____
MARK KROTOSKI
Chief, Criminal Division

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27 (Approved as to form: _____)
AUSA REES

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